

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

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|-----------------------------|---|-------------------------|
| IN RE: | § | |
| ROYCE HOMES, LP | § | Chapter 7 Case 09-32467 |
| <i>Debtor</i> | § | |
| | § | |
| RODNEY TOW, TRUSTEE | § | |
| <i>Plaintiffs</i> | § | Adversary No. 11-03191 |
| VS. | § | |
| JOHN H. SPEER, ET AL | § | |
| <i>Defendants</i> | § | |

**RECOMMENDATION OF WITHDRAWAL OF REFERENCE ON
ADVERSARY PROCEEDING 11-03191**
[This instrument pertains to Docket # ____]

Came on for consideration the Motion of Saracen Holdings, Inc. (a Texas Corporation) for Withdrawal of Reference of this Adversary Proceeding and this matter having been presented to this Court for recommendation pursuant to Local Bankruptcy Rule 5011-1.

After review of the pleadings and argument of Counsel, the Court finds that cause exists under *11 U.S.C. § 157* to withdraw reference for the following reasons: (i) the parties have demanded jury trial; (ii) the parties have declined such jury trial in the bankruptcy court; (iii) the case has already generated interlocutory appeal and is likely to include other such disputes before trial; and, (iv) preparation and trial of the case is more judicially efficient if immediately withdrawn to the United States District Court.

Accordingly, it is

RECOMMENDED that the reference be immediately withdrawn in this Adversary Proceeding.

Reserve Judge Signature

Jeff Bohm
United States Bankruptcy Judge

Entry Requested:

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